



## CALAVERAS COUNTY BOARD OF SUPERVISORS AGENDA SUBMITTAL

<b>Short Name/Subject</b> Revised Rules and Regulations for Onsite Wastewater Treatment Systems	<b>Board Meeting Date</b> March 14, 2017	<b>Agenda Number</b>
<b>Dept:</b> Environmental Management Agency <b>Contact:</b> Brian Moss <b>Phone:</b> (209) 754-6036	<b>Supervisory District Number</b> Countywide	Consent Agenda
<b>Published Notice Required?</b> No <b>Public Hearing Required?</b> No		<b>Estimated Time:</b> 0
<b>Type of Document?</b> Resolution <b>PowerPoint Presentation Included?</b> No <b>Budget Transfer Included (Must be signed by Auditor)?</b> No <b>Complete Agreement Required?</b> No <b>Position Allocation Change?</b> No		

### **RECOMMENDATION:**

Adopt a Resolution revising the Calaveras County Rules and Regulations for Onsite Wastewater Treatment Systems.

### **DISCUSSION/SUMMARY:**

The California Water Code authorizes the State Water Resources Control Board (SWRCB) to regulate all discharges that could affect the quality of waters of the State. The policies of the SWRCB are implemented locally through nine regional water quality control boards, including the Central Valley Regional Water Quality Control Board (CVRWQCB), which oversees Calaveras County. Wastewater discharges within Calaveras County are regulated through Waste Discharge Permits issued by the CVRWQCB.

In the past, the CVRWQCB adopted a general waiver of waste discharge requirements for onsite wastewater treatment systems (OWTS) where such systems were regulated by each individual county or jurisdiction. This general waiver expired on June 30, 2004, and discharges from OWTS have not been formally authorized by the CVRWQCB since the expiration date.

As originally initiated through Senate Bill 885 during the 2000 legislative session, the SWRCB was tasked with ultimately adopting the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Wastewater Treatment Systems in California. On June 19, 2012, the SWRCB approved Resolution 2012-0032, which adopted the OWTS Policy (Policy), which in turn was approved by the office of Administrative Law and became effective on May 13, 2013.

The purpose of the Policy is to allow for the continued use of OWTS at the local level while protecting water quality and public health. This Policy recognizes that responsible local agencies can provide the most effective means to manage OWTS on a routine basis. Therefore as an important element, it is the intent of this Policy to efficiently utilize, and improve upon where necessary, existing local programs through coordination between state and local agencies. If local agencies do not want to utilize state requirements for regulation of OWTS, the Policy allows them to develop and submit Local Agency Management Plans (LAMP's) for approval by the CVRWQCB. A LAMP allows local agencies to continue to use their current OWTS requirements (Rules and Regulations, Ordinance) upon approval.

Some of the Policy contains elements that would preclude property owners from developing on their property under the current Calaveras County requirements for OWTS. As a result, the Onsite

Wastewater Department developed a LAMP to provide alternatives to the Policy that are just as protective of public health and water quality, but will essentially allow continued use of the existing Calaveras County OWTS requirements. Once approved, the standards contained in an approved LAMP supersede other Policy standards.

As a condition of approval, a few changes must be made to the Rules and Regulations for Onsite Wastewater Treatment Systems. The Rules and Regulations were last updated in August 2012 and changes were made in anticipation of pursuing a LAMP. This update was a culmination of input from staff and Qualified Professionals (Engineers and Registered Environmental Health Specialists), and draft documents were distributed to stakeholders. In May of 2016, a draft LAMP was submitted to the CVRWQCB for review and some minor changes to the Rules and Regulations were required to satisfy the state standards. The latest revisions do not change any technical requirements for approval of an OWTS, but they better define the requirements of the Rules and Regulations.

**FINANCING:**

There will be no impact to County General Funds.

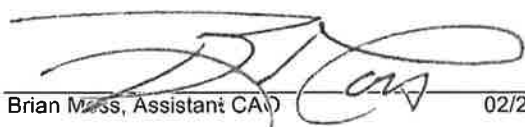


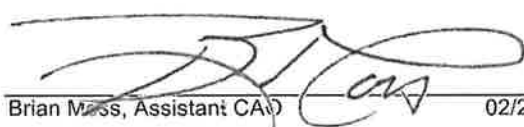
**ALTERNATIVES:**

The Board may choose not to consider adoption of new updated Rules and Regulations; however staff does not recommend this alternative, as doing so would make it more difficult for local property owners to get OWTS approved.

**OTHER AGENCY INVOLVEMENT:**

A variety of stakeholders provided input in the August 2012 revisions in anticipation of the LAMP requirements. The current revisions are minor and are required by the CVRWQCB for LAMP approval.

**APPROVED BY:**

 Brian Moss, Assistant CAO 02/22/2017	 Diane Severud, Deputy Clerk of the Board of Supervisors 02/22/2017
 Julie Moss-Lewis, Deputy County Counsel 02/22/2017	 Brian Moss, Assistant CAO 02/22/2017

BOARD OF SUPERVISORS, COUNTY OF CALAVERAS  
STATE OF CALIFORNIA  
March 14, 2017

Resolution  
No. 20170314r039

**RESOLUTION REVISING THE CALAVERAS COUNTY  
RULES AND REGULATIONS FOR ONSITE WASTEWATER  
TREATMENT SYSTEMS**

**WHEREAS**, Resolution 1834 amended Resolutions 2012-113, 10-147, 92-259, 94-45 and 94-195, which adopted Calaveras County rules and regulations for onsite wastewater treatment systems (OWTS); and,

**WHEREAS**, Calaveras County is under the jurisdiction of the State Water Resources Control Board (SWRCB); and,

**WHEREAS**, On June 19, 2012, the SWRCB approved Resolution 2012-0032, adopting the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Wastewater Treatment Systems (OWTS Policy); and,

**WHEREAS**, the OWTS Policy was approved by the Office of Administrative Law and became effective on May 13, 2013; and,


**WHEREAS**, the OWTS Policy allows local enforcement agencies to continue to implement a local program through the development of a Local Agency Management Plan (LAMP); and

**WHEREAS**, the LAMP allows the continued use of the existing Calaveras County Rules and Regulations for Onsite Wastewater Treatment Systems, approved per Resolution 92-259, if it meets the SWRCB requirements; and

**WHEREAS**, the SWRCB require minor revisions to the existing Calaveras County Rules and Regulations for Onsite Wastewater Treatment Systems prior to approval of the LAMP.

**NOW THEREFORE BE IT RESOLVED** that the Board of Supervisors, County of Calaveras, State of California, does hereby authorize the amendments hereby proposed to the County's Rules and Regulations for Onsite Wastewater Treatment Systems.

**AYES:** Tofanelli, Garamendi, Oliveira, Mills, Clapp

  
Michael C. Oliveira, District 3 Supervisor 03/14/2017

**ATTEST**

A handwritten signature in cursive script, reading "Diane Severud". The signature is written in dark ink on a white background.

Diane Severud, Deputy Clerk of the Board of Supervisors

03/14/2017